

TWENTY-FOURTH DAY

(Monday, February 20, 1933)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Stevenson.

The roll was called, and the following Members were present:

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| Mr. Speaker. | Holekamp. |
| Adamson. | Holland. |
| Aikin. | Holloway. |
| Alexander. | Hoskins. |
| Alsup. | Huddleston. |
| Anderson | Hughes. |
| of Bexar. | Hunt. |
| Anderson | Hyder. |
| of Johnson. | Jackson. |
| Baker. | James. |
| Barrett. | Jones of Atascosa. |
| Barron. | Jones of Runnels. |
| Beck. | Jones of Shelby. |
| Bedford. | Kayton. |
| Bourne. | Kyle of Hays. |
| Burns. | Kyle of Palo Pinto. |
| Butler. | Laird. |
| Calvert. | Latham. |
| Camp. | Lemens. |
| Canon. | Leonard. |
| Cathey. | Lindsey. |
| Caven. | Long. |
| Chastain. | Lotief. |
| Clayton. | Magee. |
| Colson. | Mackay. |
| Coombes. | Mathis. |
| Cowley. | McDougald. |
| Crossley. | McGregor. |
| Daniel. | McKee. |
| Davidson. | Merritt. |
| Dean. | Metcalfe. |
| Dunlap. | Mitcham. |
| Dunagan. | Moore. |
| Dwyer. | Morrison. |
| Fain. | Morse. |
| Few. | Munson. |
| Fisher. | Nicholson. |
| Ford. | Patterson. |
| Fuchs. | Pavlica. |
| Glass. | Pope. |
| Golson. | Puryear. |
| Good. | Ramsey. |
| Goodman. | Ratliff. |
| Graves. | Ray. |
| Greathouse. | Reader. |
| Griffith. | Reed of Bowie. |
| Haag. | Reed of Dallas. |
| Hankamer. | Renfro. |
| Harman. | Riddle. |
| Harris. | Roberts. |
| Harrison. | Rogers of Hunt. |
| Head. | Rogers |
| Hester. | of Ochiltree. |
| Hicks. | Rollins. |
| Hill of Brazoria. | Ross. |
| Hill of Webb. | Russell. |
| Hodges. | Savage. |

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| Scarborough. | Tillery. |
| Scott. | Townsend. |
| Shannon. | Turlington. |
| Shults. | Van Zandt. |
| Smith. | Vaughan. |
| Stanfield. | Wagstaff. |
| Steward. | Walker. |
| Stinson. | Weinert. |
| Stovall. | Wells. |
| Tarwater. | Wood. |
| Tennyson. | Young. |
| Thomas. | |

Absent

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| Duvall. | West. |
| Hartzog. | |

Absent—Excused

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| Bradley. | McClain. |
| Devall. | McCullough. |
| Engelhard. | Moffett. |
| Jefferson. | Palmer. |
| Johnson | Parkhouse. |
| of Anderson. | Sullivant. |
| Johnson | Winningham. |
| of Dimmit. | |

A quorum was announced present.
Prayer was offered by Rev. Geo. W. Coltrin, Chaplain.

LEAVES OF ABSENCE GRANTED

The following Members were granted leaves of absence on account of important business:

Mr. Johnson of Anderson for today, on motion of Mr. Hicks.

Mr. Bradley for today and the balance of the week, on motion of Mr. Adamson.

Mr. Devall for today, on motion of Mr. James.

Mr. Parkhouse for today, on motion of Mr. Morrison.

Mr. Jefferson for today and tomorrow, on motion of Mr. Morrison.

Mr. Moffett for today, on motion of Mr. Alexander.

Mr. Engelhard for today, on motion of Mr. Hoskins.

Mr. Hunt for today, on motion of Mr. Good.

Mr. McClain for today, on motion of Mr. Russell.

Mr. McKee for today, on motion of Mr. Wood.

Mr. Sullivant for today, on motion of Mr. Van Zandt.

The following Members were granted leaves of absence on account of illness.

Mr. Johnson of Dimmit for today and the balance of the week, on motion of Mr. Ford.

Mr. Palmer for today, on motion of Mr. Townsend.

Mr. McCullough for today on account of illness in his family, on motion of Mr. Hyder.

Mr. Winningham for today on account of illness in his family, on motion of Mr. Steward.

HOUSE BILLS ON FIRST READING

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Mitcham:

H. B. No. 528, A bill to be entitled "An Act providing relief for the Flat Creek Common School District of Henderson County, Texas, in order to aid said school district in rebuilding and equipping its school, destroyed by fire, on or about January 20, 1933; making an appropriation for said purpose; and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Holland:

H. B. No. 529, A bill to be entitled "An Act to amend Article 3810, of the Revised Civil Statutes of Texas, 1925, relating to sales under deeds of trust and contract liens and notice thereof, so as to provide for the publication of such notices in certain newspapers, unless the trustee shall be requested by the owner of the real estate to be sold, to give notice and sell such property as provided in such deed of trust or contract lien, fixing the compensation to the newspapers in making such publication, and providing for posting where there is no newspaper published in the county or none which will publish for the compensation fixed; providing that sales under deeds of trust and contract liens already in existence may be made in the manner now provided by law, and to repeal all laws and parts of laws in conflict therewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Holland:

H. B. No. 530, A bill to be entitled "An Act to amend Article 3812, of the Revised Civil Statutes of Texas, 1925,

relating to notices of sales of personal property under execution or chattel mortgage liens, so as to provide for the publication of such notices in certain newspapers; providing for the repeal of all laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Judiciary.

By Mr. Colson and Mr. Butler:

H. B. No. 531, A bill to be entitled "An Act to amend Article 4769, Chapter 4, Title 78, of the Revised Civil Statutes of the State of Texas, 1925, relating to the occupation tax on foreign life insurance companies, so as to increase the amount of such tax; Article 4754, Chapter 3, Title 78, of the Revised Civil Statutes of the State of Texas, 1925, relating to taxation of domestic insurance companies, so as to levy an occupation tax; providing for the disposition of the funds derived from such taxes; repealing all laws or parts of laws in conflict; and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Aikin, Mr. Canon, and Mr. Rogers of Hunt:

H. B. No. 532, A bill to be entitled "An Act amending Article 2700, of the 1925 Revised Civil Statutes of Texas, reducing the salaries of county school superintendents, and providing for the amount of compensation that they may receive; repealing Article 2700-a, Acts of 1927, Fortieth Legislature, page 393, Chapter 266; repealing Article 2700-b, Acts of 1927, Fortieth Legislature, page 394, Chapter 267; repealing Article 2700-c, Acts of 1929, Forty-first Legislature, page 90; Chapter 44, as amended, Acts of 1931, Forty-second Legislature, Special Laws, page 433, Chapter 219, etc., and declaring an emergency."

Referred to Committee on Education.

By Mr. Glass:

H. B. No. 533, A bill to be entitled "An Act to prohibit the use of a steel trap for taking fur-bearing animals or the setting of any steel trap in Cherokee County, with certain exceptions; providing a penalty; repealing all laws in conflict therewith, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Hester:

H. B. No. 534, A bill to be entitled "An Act making it unlawful to shoot at or kill any wild deer or wild turkey in that portion of Burnet County north of the Colorado River; providing a penalty; and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Hester:

H. B. No. 535, A bill to be entitled "An Act making it unlawful for any person to catch or take or attempt to take or catch catfish of less length than nine (9) inches in Burnet County; providing a penalty; and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Rogers of Ochiltree and Mr. Ray:

H. B. No. 536, A bill to be entitled "An Act to amend Article 2846 and Article 2854, of the Revised Civil Statutes of Texas, 1925." (Relating to the printing, engraving, and binding and furnishing of textbooks.)

Referred to Committee on Education.

By Mr. Weinert, Mr. Hartzog, Mr. Patterson, Mr. Hill of Brazoria, Mr. Vaughan, Mr. Moffett, Mr. Wood, and Mr. Adamson:

H. B. No. 537, A bill to be entitled "An Act to amend Article 1053, Chapter 5, Title 28, of the Revised Civil Statutes of Texas of 1925, relating to notices given property owners by city boards of equalization."

Referred to Committee on Revenue and Taxation.

By Mr. Weinert, Mr. Hartzog, Mr. Patterson, Mr. Hill of Brazoria, Mr. Vaughan, Mr. Moffett, Mr. Wood, and Mr. Adamson:

H. B. No. 538, A bill to be entitled "An Act to amend Article 7206, of Title 122, Chapter 7, of the Revised Statutes, 1925, so as to require the commissioners court, when acting as a board of equalization to give written notice to the owner of the amount of increase said board of equalization desires to make in the value of any assessment of property by any person, firm, or corporation."

Referred to Committee on Revenue and Taxation.

By Mr. Magee and Mr. Cathey:

H. B. No. 539, A bill to be entitled "An Act providing for an open season for doves in Smith and Wood Counties, and repealing the Acts of 1930, Forty-first Legislature, Fourth Called Session, page 29, Chapter 19, and all other laws or parts of law in conflict herewith, insofar as they affect Smith and Wood Counties, Texas, and declaring an emergency."

Referred to Committee on Game and Fisheries.

By Mr. Johnson of Anderson:

H. B. No. 540, A bill to be entitled "An Act providing for the right of ingress and egress to and from the public fresh waters of Texas, as defined in Article 4026 and Article 4029, of the Revised Civil Statutes of 1925, and allowing the use of the banks of such public fresh waters by fishermen, without being guilty of trespass; providing a penalty; establishing a rule of construction; repealing all laws in conflict with this Act; and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Calvert (by request):

H. B. No. 541, A bill to be entitled "An Act amending Subsection 8, Chapter 40, General and Special Laws, Forty-second Legislature, Second Called Session, being 'An Act providing for development of State-owned river beds for oil and gas purposes,' by re-appropriating for the purposes therein set out the unexpended balance of the specific appropriation contained in Subsection 8, of said Act, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Hankamer and Mr. Clayton:

H. B. No. 542, A bill to be entitled "An Act to repeal Article 5986, Title 100, of the Revised Civil Statutes of the State of Texas, Revision of 1925, and declaring an emergency." (Prohibiting removal or prosecution of officers for any act committed prior to election to office.)

Referred to Committee on Criminal Jurisprudence.

RESOLUTION SIGNED BY THE
SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

S. C. R. No. 10, Relative to Texas-Oklahoma boundary line.

MOTION TO PRINT HOUSE BILL
NO. 92

Mr. Pope moved that House Bill No. 92, reported adversely, with a minority favorable report, be printed.

Mr. Hill of Webb raised a point of order on further consideration of the motion, on the ground that, under the Rules of the House, the motion comes too late.

The Speaker overruled the point of order.

Question then recurring on the motion by Mr. Pope, yeas and nays were demanded.

The motion was lost by the following vote:

Yeas—47

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| Aikin. | Huddleston. |
| Baker. | James. |
| Barron. | Kayton. |
| Beck. | Kyle of Palo Pinto. |
| Bourne. | Laird. |
| Burns. | Latham. |
| Canon. | Lotief. |
| Cathey. | McGregor. |
| Chastain. | Merritt. |
| Colson. | Mitcham. |
| Coombes. | Nicholson. |
| Davidson. | Pavlica. |
| Dunagan. | Pope. |
| Fain. | Puryear. |
| Few. | Ramsey. |
| Fisher. | Reed of Bowie. |
| Fuchs. | Rogers |
| Good. | of Ochiltree. |
| Goodman. | Russell. |
| Greathouse. | Scott. |
| Haag. | Stanfield. |
| Hester. | Stovall. |
| Holekamp. | Vaughan. |
| Holloway. | Walker. |

Nays—74

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| Adamson. | Bedford. |
| Alexander. | Butler. |
| Alsup. | Calvert. |
| Anderson | Camp. |
| of Bexar. | Clayton. |
| Anderson | Cowley. |
| of Johnson. | Crossley. |
| Barrett. | Dean. |

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| Dunlap. | Mackay. |
| Dwyer. | Metcalfe. |
| Ford. | Moore. |
| Glass. | Morrison. |
| Golson. | Morse. |
| Graves. | Munson. |
| Griffith. | Ratliff. |
| Hankamer. | Ray. |
| Harris. | Reader. |
| Harrison. | Reed of Dallas. |
| Head. | Renfro. |
| Hicks. | Riddle. |
| Hill of Brazoria. | Rogers of Hunt. |
| Hill of Webb. | Rollins. |
| Hodges. | Ross. |
| Holland. | Savage. |
| Hoskins. | Shults. |
| Hughes. | Smith. |
| Hyder. | Steward. |
| Jackson. | Stinson. |
| Jones of Atascosa. | Tarwater. |
| Jones of Runnels | Tennyson. |
| Kyle of Hays. | Thomas. |
| Lemens. | Tillery. |
| Leonard. | Townsend. |
| Lindsey. | Turlington. |
| Magee. | Van Zandt. |
| Mathis. | Wagstaff. |
| McDougald. | Wood. |
| McKee. | Young. |

Absent

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| Caven. | Patterson. |
| Daniel. | Roberts. |
| Duvall. | Scarborough. |
| Harman. | Shannon. |
| Hartzog. | Weinert. |
| Jones of Shelby. | West. |
| Long. | |

Absent—Excused

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| Bradley. | McClain. |
| Devall. | McCullough. |
| Engelhard. | Moffett. |
| Hunt. | Palmer. |
| Jefferson. | Parkhouse. |
| Johnson | Sullivant. |
| of Anderson. | Wells. |
| Johnson | Winningham. |
| of Dimmit. | |

Mr. Holland moved to reconsider the vote by which the motion was lost and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE GOVERNOR

Mr. J. H. Davis, Jr., Secretary to the Governor, appeared at the Bar of the House, and, being duly announced, presented the following message from the Governor, which was read to the House, as follows:

Executive Office,
Austin, Texas, February 20, 1933.

To the Forty-third Legislature:

Gentlemen: I am informed by the State Treasurer, and I have received like information from other reliable sources, that the State Treasurer has on deposit with the Security Trust Company, as a State depository, one million four hundred ninety-six thousand eight hundred seventy-four dollars (\$1,496,874). I am further informed that as security for said deposit the said Security Trust Company has on deposit with the State Treasurer various county, city, and irrigation and other district bonds, as well as Joint Stock Land Bank bonds in the total sum of one million seven hundred twenty thousand six hundred thirteen dollars (\$1,720,613). I am further informed that the real value of the above security is not in excess of an average of forty cents on the dollar, and perhaps less than that sum.

If my information is correct, then there is an impairment in security for the State deposits of some eight hundred eight thousand six hundred twenty-nine dollars (\$808,629), and as the Security Trust Company is now in liquidation, the State would probably lose anywhere from eight hundred thousand to one million dollars.

I am also informed that although these funds are subject to check under the State Depository Law, the Security Trust Company is claiming an agreement with the State Treasurer to withhold issuing any checks against said fund.

I call these matters to your attention as they affect the tax rate and the prompt payment of State warrants, and I deem it my duty to advise you of conditions so that you may take such action as to you may seem best for the protection of the funds of the State.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

HOUSE CONCURRENT RESOLUTION NO. 22 WITH SENATE AMENDMENTS

Mr. Dwyer called up from the Speaker's table, with Senate amendments, for consideration of the amendments,

H. C. R. No. 22, Relative to refinancing mortgage loans.

The Speaker laid the resolution before the House.

On motion of Mr. Dwyer, the House concurred in the Senate amendments.

RELATIVE TO HOUSE BILL NO. 34

On motion of Mr. Thomas, by unanimous consent of the House, the caption of House Bill No. 34 was ordered amended to conform to the body of the bill.

TO EXTEND THE PRIVILEGES OF THE FLOOR

Mr. Cathey offered the following resolution:

Whereas, Mrs. Susie Rudasill is the maker and donor of the beautiful flags, namely, the Texas Flag and the United States Flag, and,

Whereas, Their beauty helps to adorn and beautify the House of Representatives, and

Whereas, The wives and mothers of Texas have contributed the greater part of the hardships in winning the War for Texas Independence, and all other wars where our National Government has been on the defensive, and

Whereas, The maker and donor of these beautiful flags, Mrs. Susie Rudasill, frequently comes and sits in the gallery, where she may look down on these flags instead of looking up to them, and

Whereas, She has not been extended any privilege of the floor, and

Whereas, She is not in any way interested in any work before this Legislature, in a way that it would cause her to lobby for or against any legislation that might come up before this Body, and

Whereas, The maker and donor, Mrs. Susie Rudasill, has spent many hours and days in the making of these beautiful flags; therefore, be it

Resolved by the House of Representatives, That she be granted the privilege of the floor through this Session of the Legislature, and any succeeding Called Session.

Signed — Cathey, Coombes, Good, Pavlica, Lemens, Hunt, Adamson, Bradley, Hyder, Wood, McKee, Van Zandt, Hicks, Morrison, Johnson of Anderson, Lotief.

The resolution was read second time, and was referred, by the Speaker, to the Committee on Rules.

ENDORING DR. THOMAS R. DAY FOR CERTAIN POSITION

Mr. Jones of Shelby offered the following resolution:

Whereas, Dr. Thomas R. Day, of Center, Texas, is an applicant for a position as Minister to Uruguay, Venezuela, United States of Colombia, or Ambassador to Cuba or Brazil; and

Whereas, Dr. Day was for many years a prominent teacher in East Texas schools; is a man of legal and literary turn of mind, as well as one who is interested in agriculture and commerce. He is familiar with the manners and language of the countries to the south of us, and in every way qualified to meet the duties of the position; and

Whereas, Dr. Day spent many years in the South American countries, and is particularly fitted for the work which he desires, having been connected with one of the largest railroad companies in the industrial and agricultural departments of the same in Brazil; and

Whereas, His contacts with the people of that country were most beneficial to his company, as well as to him personally; and

Whereas, Dr. Day hails from a section of the State—East Texas—which has never been honored in the way of receiving an appointment of such import; and

Whereas, He is heartily endorsed by all of the people of East Texas, as well as by prominent citizens of other sections of the State; therefore, be it

Resolved, That the House of Representatives of the State of Texas do endorse Dr. Day for this high and honorable position, and commend him to the graces of the President-elect of the United States, to Hon. J. A. Farley, and to Senators Tom Connally and Morris Sheppard.

JONES of Shelby,
MOORE.

The resolution was read second time, and was adopted.

TO AMEND HOUSE RULE IX, SECTION 5

Mr. Morse offered the following resolution:

Resolved, That Section 5, of Rule IX, of the House, be amended by inserting the word "calendar" between the word "ten" and "days" on the next to last line of said Section.

The resolution was read second time, and was referred, by the Speaker, to the Committee on Rules.

DESIGNATING OFFICIAL BAND TO GO TO WASHINGTON

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 17, Endorsing certain band, as the official Texas band.

Whereas, Arrangements have been made for an All-Texas special train, to carry all Texans to Washington, to attend the inauguration of the President and Vice-President of the United States on March 4; and

Whereas, The said All-Texas special will leave Fort Worth and Dallas on March 1, and will visit the former home of our own John Garner, Vice-President-elect, at Detroit, Texas, and other historic shrines and important cities en route; and

Whereas, It is fitting and proper, that suitable music be furnished and be available at all times and occasions throughout the trip; and

Whereas, "The Texans," a band composed of excellent musicians under the direction of Paul Seeds, of Wichita Falls, has proved itself capable and worthy of representing Texas properly and satisfactorily on occasions of this kind; now, therefore, be it

Resolved by the Senate of the State of Texas, the House of Representatives concurring, That this band, "The Texans," be endorsed as the official band to accompany the All-Texas special train to Washington, to attend the Democratic Inaugural Ceremonies.

The resolution was read second time, and was adopted.

ENDORING MR. R. A. TULLIS FOR MEMBERSHIP ON FEDERAL FARM BOARD

Mr. Kayton offered the following resolution:

Whereas, Texas is the greatest agricultural State in the Union; and

Whereas, There is to be a reorganization of the Federal Farm Board; now, therefore, be it

Resolved by the House of Representatives, That the House endorse for membership on the Federal Farm Board, a man who has had a wide range of experience in agricultural pursuits and for sixteen years has been associated with financing and marketing of agricultural products, and who is a native son of Texas, residing in San Antonio, Texas; and, be it further

Resolved, That copies of this endorsement of Mr. R. A. Tullis for membership on the Farm Board be forwarded to Hon. John Nance Garner, Vice-President-elect, and to Senators Tom Connally and Morris Sheppard, at Washington, D. C., with the names of all Members of the House affixed thereto.

The resolution was read second time, and was adopted.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bills and resolutions:

H. B. No. 121, "An Act to amend Chapter 6, of the Special Laws of the Acts of the Regular Session of the Forty-second Legislature, providing for an open season or period of time when it shall be lawful to take or kill squirrels in certain counties; providing penalties for the violation thereof; repealing all laws and parts of laws in conflict therewith, and declaring an emergency."

H. B. No. 98, "An Act to amend Article 955, of the Revised Criminal Statutes of 1925, as amended by House Bill No. 406, Chapter 257, General and Special Laws of the Regular Session of the Forty-first Legislature, as amended by House Bill No. 179, Chapter 304, General and Special Laws of the Regular Session of the Forty-second Legislature, prohibiting the sale of fish taken from fresh-water streams of certain named counties, etc., and declaring an emergency."

H. B. No. 222, "An Act creating a closed season upon wild deer, buck,

doe, fawn, or wild turkey for a period of five (5) years in the Counties of Navarro and Henderson and Anderson, in the State of Texas; making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said Counties, for a period of five (5) years; providing a penalty therefor, and declaring an emergency."

H. C. R. No. 28, Authorizing the correction of House Bill No. 98.

H. C. R. No. 29, Authorizing the correction of House Bill No. 222.

H. C. R. No. 30, Authorizing the correction of House Bill No. 121.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 20, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted

S. C. R. No. 18, Relative to the appointment of former Governor Nellie Tayloe Ross, as a Member of the President's Cabinet.

The Senate has passed

H. B. No. 263, A bill to be entitled "An Act amending Section 7-j, of Chapter 13, Acts of the Third Called Session, Forty-second Legislature (relating to appropriation of moneys to County and Road District Highway Fund), and declaring an emergency."

Respectfully,

BOB BARKER,
Secretary of the Senate.

TO GRANT J. D. DAVIS PERMISSION TO SUE THE STATE

The Speaker laid before the House, for consideration at this time,

H. C. R. No. 5, To grant J. D. Davis permission to sue the State;

The resolution having heretofore been read second time, and referred to the Committee on State Affairs;

The Committee on State Affairs having recommended the adoption of the resolution.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was then adopted by the following vote:

Yeas—89

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| Adamson. | Latham. |
| Alexander. | Lemens. |
| Alsup. | Leonard. |
| Barrett. | Lindsey. |
| Barron. | Lotief. |
| Beck. | Magee. |
| Bourne. | McDougald. |
| Burns. | McKee. |
| Butler. | Merritt. |
| Calvert. | Metcalf. |
| Camp. | Mitcham. |
| Canon. | Moore. |
| Cathey. | Munson. |
| Clayton. | Nicholson. |
| Colson. | Pavlica. |
| Davidson. | Pope. |
| Dean. | Puryear. |
| Dunagan. | Ratliff. |
| Few. | Ray. |
| Fisher. | Reader. |
| Fuchs. | Reed of Bowie. |
| Glass. | Reed of Dallas. |
| Golson. | Renfro. |
| Good. | Riddle. |
| Goodman. | Roberts. |
| Greathouse. | Rogers |
| Griffith. | of Ochiltree. |
| Hankamer. | Rollins. |
| Harris. | Ross. |
| Head. | Savage. |
| Hester. | Scarborough. |
| Hicks. | Shults. |
| Hill of Brazoria. | Smith. |
| Hill of Webb. | Stanfield. |
| Hodges. | Steward. |
| Holekamp. | Stovall. |
| Holland. | Thomas. |
| Hoskins. | Tillery. |
| Hughes. | Townsend. |
| Jackson. | Turlington. |
| James. | Wagstaff. |
| Jones of Runnels. | Walker. |
| Kayton. | Wells. |
| Kyle of Hays. | Wood. |
| Kyle of Palo Pinto. | Young. |

Nays—8

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| Aikin. | Fain. |
| Chastain. | Graves. |
| Coombes. | Huddleston. |
| Crossley. | Van Zandt. |

Present—Not Voting

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| Mr. Speaker. | Harman. |
| Anderson | Hyder. |
| of Johnson. | |

Absent

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| Anderson | Baker. |
| of Bexar. | Bedford. |

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| Caven. | Mathis. |
| Cowley. | McGregor. |
| Daniel. | Morrison. |
| Dunlap. | Morse. |
| Duwall. | Patterson. |
| Dwyer. | Ramsey. |
| Ford. | Rogers of Hunt. |
| Haag. | Russell. |
| Harrison. | Scott. |
| Hartzog. | Shannon. |
| Holloway. | Stinson. |
| Jones of Atascosa. | Tarwater. |
| Jones of Shelby. | Tennyson. |
| Laird. | Vaughan. |
| Long. | Weinert. |
| Mackay. | West. |

Absent—Excused

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|--------------|-------------|
| Bradley. | McClain. |
| Devall. | McCullough. |
| Engelhard. | Moffett. |
| Hunt. | Palmer. |
| Jefferson. | Parkhouse. |
| Johnson | Sullivant. |
| of Anderson. | Winningham. |
| Johnson | |
| of Dimmit. | |

HOUSE BILL NO. 479 ON SECOND READING

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 479, A bill to be entitled "An Act relating to the office of district attorney for the Eighteenth Judicial District of Texas, providing compensation and making an appropriation for the same; providing compensation and making an appropriation for the district attorney of the One Hundred and Nineteenth Judicial District of the State of Texas; providing compensation and making appropriation for the district attorney of the Thirty-fourth Judicial District of the State of Texas; and declaring an emergency."

The bill was read second time, and was passed to engrossment.

HOUSE BILL NO. 479 ON THIRD READING

Mr. Harman moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 479 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—104

| | |
|---------------------|-----------------|
| Adamson. | Lemens. |
| Aikin. | Leonard. |
| Alexander. | Lindsey. |
| Alsup. | Lotief. |
| Baker. | Magee. |
| Barron. | Mathis. |
| Beck. | McDougald. |
| Bourne. | McKee. |
| Burns. | Merritt. |
| Butler. | Metcalfe. |
| Camp. | Mitcham. |
| Canon. | Moore. |
| Cathey. | Morse. |
| Caven. | Munson. |
| Clayton. | Nicholson. |
| Coombes. | Pavlica. |
| Cowley. | Pope. |
| Crossley. | Puryear. |
| Daniel. | Ratliff. |
| Davidson. | Ray. |
| Dean. | Reader. |
| Dunagan. | Reed of Bowie. |
| Fain. | Reed of Dallas. |
| Few. | Renfro. |
| Fisher. | Riddle. |
| Ford. | Roberts. |
| Glass. | Rogers of Hunt. |
| Golson. | Rogers |
| Good. | of Ochiltree. |
| Goodman. | Rollins. |
| Graves. | Ross. |
| Griffith. | Savage. |
| Haag. | Scarborough. |
| Hankamer. | Shults. |
| Harman. | Smith. |
| Harris. | Stanfield. |
| Hester. | Steward. |
| Hicks. | Stinson. |
| Hill of Brazoria. | Stovall. |
| Hill of Webb. | Tarwater. |
| Hodges. | Tennyson. |
| Holekamp. | Thomas. |
| Hoskins. | Tillery. |
| Huddleston. | Townsend. |
| Hughes. | Turlington. |
| Hyder. | Van Zandt. |
| Jackson. | Vaughan. |
| James. | Wagstaff. |
| Jones of Runnels. | Walker. |
| Kayton. | Wells. |
| Kyle of Hays. | Wood. |
| Kyle of Palo Pinto. | Young. |
| Latham. | |

Nays—1

Colson.

Absent

| | |
|-------------|-------------|
| Anderson | Chastain. |
| of Bexar. | Dunlap. |
| Anderson | Duvall. |
| of Johnson. | Dwyer. |
| Barrett. | Fuchs. |
| Bedford. | Greathouse. |
| Calvert. | Harrison. |

| | |
|--------------------|------------|
| Hartzog. | McGregor. |
| Head. | Morrison. |
| Holland. | Patterson. |
| Holloway. | Ramsey. |
| Jones of Atascosa. | Russell. |
| Jones of Shelby. | Scott. |
| Laird. | Shannon. |
| Long. | Weinert. |
| Mackay. | West. |

Absent—Excused

| | |
|--------------|-------------|
| Bradley. | McClain. |
| Devall. | McCullough. |
| Engelhard. | Moffett. |
| Hunt. | Palmer. |
| Jefferson. | Parkhouse. |
| Johnson | Sullivan. |
| of Anderson. | Winningham. |
| Johnson | |
| of Dimmit. | |

The Speaker then laid House Bill No. 479 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—106

| | |
|-------------|---------------------|
| Adamson. | Graves. |
| Aikin. | Griffith. |
| Alexander. | Haag. |
| Alsup. | Hankamer. |
| Anderson | Harman. |
| of Johnson. | Harris. |
| Baker. | Harrison. |
| Barrett. | Hicks. |
| Barron. | Hill of Webb. |
| Beck. | Holekamp. |
| Bedford. | Hoskins. |
| Bourne. | Huddleston. |
| Burns. | Hughes. |
| Butler. | Hyder. |
| Camp. | Jackson. |
| Canon. | James. |
| Cathey. | Jones of Runnels. |
| Caven. | Jones of Shelby. |
| Chastain. | Kayton. |
| Clayton. | Kyle of Hays. |
| Colson. | Kyle of Palo Pinto. |
| Coombes. | Laird. |
| Cowley. | Latham. |
| Crossley. | Lemens. |
| Daniel. | Leonard. |
| Davidson. | Lindsey. |
| Dean. | Lotief. |
| Dunagan. | Magee. |
| Fain. | Mathis. |
| Few. | McDougald. |
| Fisher. | McKee. |
| Ford. | Merritt. |
| Fuchs. | Metcalfe. |
| Glass. | Mitcham. |
| Golson. | Moore. |
| Good. | Morse. |
| Goodman. | Nicholson. |

| | |
|-------------------------|--------------|
| Pavlica. | Scarborough. |
| Pope. | Shults. |
| Puryear. | Smith. |
| Ratliff. | Stinson. |
| Ray. | Stovall. |
| Reader. | Tarwater. |
| Reed of Bowie. | Tennyson. |
| Reed of Dallas. | Thomas. |
| Renfro. | Tillery. |
| Riddle. | Townsend. |
| Roberts. | Turlington. |
| Rogers of Hunt. | Van Zandt. |
| Rogers of Ochiltree. | Vaughan. |
| Rollins. | Wagstaff. |
| Ross. | Wells. |
| Savage. | Wood. |
| | Young. |

Absent

| | |
|--------------------|------------|
| Anderson | Long. |
| of Bexar. | Mackay. |
| Calvert. | McGregor. |
| Dunlap. | Morrison. |
| Duvall. | Munson. |
| Dwyer. | Patterson. |
| Greathouse. | Ramsey. |
| Hartzog. | Russell. |
| Head. | Scott. |
| Hester. | Shannon. |
| Hill of Brazoria. | Stanfield. |
| Hodges. | Steward. |
| Holland. | Walker. |
| Holloway. | Weinert. |
| Jones of Atascosa. | West. |

Absent—Excused

| | |
|--------------------|-------------|
| Bradley. | McClain. |
| Devall. | McCullough. |
| Engelhard. | Moffett. |
| Hunt. | Palmer. |
| Jefferson. | Parkhouse. |
| Johnson | Sullivan. |
| of Anderson. | Winningham. |
| Johnson of Dimmit. | |

HOUSE BILL NO. 88 ON SECOND
READING

On motion of Mr. Wells, the regular order of business was suspended to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 88, A bill to be entitled "An Act to provide for liens in favor of hospitals and other institutions furnishing care, treatment, and maintenance of persons injured in accidents, upon the rights of action, claims, and demands of such injured persons against other persons or corporations for damages on account of negligence causing the injuries, and upon the proceeds of the settlements of any such claims or demands, and declaring an emergency."

The Speaker laid the bill before House, and it was read second time.

Mr. Savage offered the following committee amendments to the bill:

(1)

Amend Section 3, fourth line from close, by inserting after the word "Texas": "or Federal Liability Act, or Federal Longshoremen's or Harbor Workers' Act, or Employes Liability Act of Texas."

(2)

Strike out the words "or affected with any other person, or firm, or corporation, or joint stock association on account thereof" at the close of Section 2.

The amendments were severally adopted.

Mr. Pope offered the following amendment to the bill:

Add at the beginning of line 26, page 1, the word "alleged."

The amendment was adopted.

Mr. Hill of Brazoria offered the following amendment to the bill:

Amend House Bill No. 88 by striking out all of line 33, page 2, after the semicolon following the word "day," and all of lines 34, 35, 36, and 37, and that part of line 38 down to the semicolon following the word "occurred," and substitute in lieu thereof the following:

"Provided that a notice in writing containing the name and address of the injured person, the date of the accident, the name and location of the hospital or clinic rendering the service, and, if known, the name of the person, or persons, firm, or firms, corporation, or corporations, alleged to be liable to pay damages to such injured person for such injuries so received, shall be filed in the office of the county clerk of the county in which such injury shall have occurred, prior to the payment of any moneys to such injured person, or his legal representative, or other person entitled thereto as damages for, or on account of, such injuries."

The amendment was adopted.

Mr. Shults offered the following amendment to the bill:

Amend House Bill No. 88 by inserting on page 2, line 33, after the

word "day," the following: "not to exceed thirty days."

The amendment was lost.

Mr. Bedford offered the following amendment to the bill:

Amend House Bill No. 88, by changing the period after the word "Texas," in the last line of Section 3 thereof, to a semicolon, and adding the following: "provided further, that this lien shall not attach to any claim for amounts due the injured person by any person, firm, association, corporation, or the receiver, or receivers thereof, owning and/or operating a railroad, interurban, or street railway in this State, where such person, firm, association, corporation, or receiver, or receivers, or his, its, or their employes, maintain a hospital, furnishing hospitalization to injured persons; or where such person, firm, association, corporation, or the receiver, or receivers, or his, its, or their employes furnish, through contract, lease, or otherwise, hospitalization to injured persons."

The amendment was lost.

Mr. Van Zandt offered the following amendment to the bill:

Amend House Bill No. 88 by inserting Sections 4-a and 4-b, reading as follows:

"Section 4-a. Any person, or persons, firm, or firms, corporation, or corporations, legally liable or against whom a claim shall be asserted for compensation for such injuries, shall be permitted to examine the records of any such association, corporation, or other institution, or body, maintaining such hospital in reference to such treatment, care, and maintenance of such injured person, under such reasonable rules and regulations as such hospital may require; and the hospital record with respect to injured persons may be admitted in evidence in any proceeding with respect to the recovery of damages.

"Section 4-b. To discharge any notices filed under the provisions of this Act, the hospital authorities or person in charge of the finances of said hospital to whom said lien has been duly paid shall execute a certificate to the effect that the claim filed by such hospital for treatment, care, and maintenance therein has been duly paid, or released, and authorizing the clerk of the county in which office said

notice of hospital lien has been filed, to discharge the same; and thereupon such clerk shall enter upon the margin of the hospital lien docket in which the said hospital lien notice has been entered, a memorandum of such filing and the date when such certificate of payment or release was filed in his office, which certificate and entry shall constitute a discharge of lien, for which the clerk shall receive the sum of twenty-five cents."

The amendment was adopted.

Mr. Moore offered the following amendment to the bill:

Amend House Bill No. 88, page 2, lines 31 and 32, by striking out the words "the customary rate," and inserting in lieu thereof the words "a reasonable rate."

The amendment was adopted.

House Bill No. 88 was then passed to engrossment.

MOTION TO TAKE UP HOUSE BILL NO. 88

Mr. Savage moved that the constitutional rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 88 be placed on its third reading and final passage.

The motion was lost (not receiving the necessary four-fifths vote) by the following vote:

Yeas—81

| | |
|-------------|---------------------|
| Adamson. | Graves. |
| Alexander. | Griffith. |
| Alsup. | Haag. |
| Anderson | Hankamer. |
| of Bexar. | Harman. |
| Anderson | Harris. |
| of Johnson. | Head. |
| Barron. | Hester. |
| Beck. | Hill of Brazoria. |
| Butler. | Hill of Webb. |
| Calvert. | Hodges. |
| Camp. | Holland. |
| Cathey. | Hoskins. |
| Chastain. | Hunt. |
| Clayton. | Hyder. |
| Colson. | James. |
| Coombes. | Jones of Runnels. |
| Cowley. | Kayton. |
| Crossley. | Kyle of Palo Pinto. |
| Daniel. | Latham. |
| Davidson. | Lindsey. |
| Dunlap. | Lotief. |
| Fisher. | Magee. |
| Fuchs. | Mackay. |
| Glass. | Merritt. |
| Golson. | Metcalfe. |

| | |
|-----------------|-------------|
| Morrison. | Stanfield. |
| Morse. | Steward. |
| Munson. | Stinson. |
| Pavlica. | Tarwater. |
| Pope. | Tennyson. |
| Ray. | Thomas. |
| Reader. | Tillery. |
| Reed of Dallas. | Townsend. |
| Rogers of Hunt. | Turlington. |
| Rogers | Van Zandt. |
| of Ochiltree. | Vaughan. |
| Rollins. | Wagstaff. |
| Ross. | Walker. |
| Russell. | Wells. |
| Savage. | Wood. |
| Scott. | Young. |
| Smith. | |

Nays—31

| | |
|-------------|----------------|
| Aikin. | Kyle of Hays. |
| Baker. | Laird. |
| Barrett. | Lemens. |
| Bedford. | McKee. |
| Bourne. | Mitcham. |
| Burns. | Moore. |
| Canon. | Puryear. |
| Caven. | Ramsey. |
| Dean. | Ratliff. |
| Fain. | Reed of Bowie. |
| Few. | Riddle. |
| Ford. | Roberts. |
| Goodman. | Scarborough. |
| Hicks. | Shults. |
| Huddleston. | Stovall. |
| Hughes. | |

Present—Not Voting

Holloway.

Absent

| | |
|--------------------|------------|
| Dunagan. | Leonard. |
| Duvall. | Long. |
| Dwyer. | Mathis. |
| Good. | McDougald. |
| Greathouse. | McGregor. |
| Harrison. | Nicholson. |
| Hartzog. | Patterson. |
| Holekamp. | Renfro. |
| Jackson. | Shannon. |
| Jones of Atascosa. | Weinert. |
| Jones of Shelby. | West. |

Absent—Excused

| | |
|--------------|-------------|
| Bradley. | McClain. |
| Devall. | McCullough. |
| Engelhard. | Moffett. |
| Jefferson. | Palmer. |
| Johnson | Parkhouse. |
| of Anderson. | Sullivan. |
| Johnson | Winningham. |
| of Dimmit. | |

PAIRED

Mr. Holloway (present), who would vote "nay," with Mr. Dunagan (absent), who would vote "yea."

HOUSE BILL NO. 153 ON SECOND READING

On motion of Mr. Reed of Dallas, the regular order of business was suspended, to take up and have placed on its second reading and passage to engrossment,

H. B. No. 153, A bill to be entitled "An Act amending Article 4442, Revised Statutes, 1925, of the State of Texas, by adding to said Article, Section No. 5, so as to provide that when a keeper, manager, or owner of an institution defined in said Article shall operate same without a license or sell or traffic in babies, or permit the use of said institution for purposes other than provided in their licenses, they may be enjoined in a suit filed by the Attorney General, district or county attorney, or any citizen; and creating an emergency."

The Speaker laid the bill before the House; it was read second time, and was passed to engrossment.

HOUSE BILL NO. 153 ON THIRD READING

Mr. Reed of Dallas moved that the constitution rule, requiring bills to be read on three several days, be suspended, and that House Bill No. 153 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—106

| | |
|-------------|---------------|
| Adamson. | Davidson. |
| Aikin. | Dean. |
| Alexander. | Dunlap. |
| Alsup. | Fain. |
| Anderson | Few. |
| of Bexar. | Fisher. |
| Anderson | Ford. |
| of Johnson. | Fuchs. |
| Baker. | Glass. |
| Barrett. | Golson. |
| Barron. | Good. |
| Beck. | Goodman. |
| Bedford. | Graves. |
| Bourne. | Greathouse. |
| Burns. | Hankamer. |
| Butler. | Harman. |
| Calvert. | Harris. |
| Canon. | Head. |
| Cathey. | Hester. |
| Caven. | Hicks. |
| Chastain. | Hill of Webb. |
| Clayton. | Hodges. |
| Coombes. | Holekamp. |
| Cowley. | Holland. |
| Crossley. | Hoskins. |

| | |
|---------------------|-----------------|
| Huddleston. | Ray. |
| Hughes. | Reed of Bowie. |
| Hunt. | Reed of Dallas. |
| Hyder. | Renfro. |
| Jackson. | Riddle. |
| James. | Roberts. |
| Jones of Runnels. | Rogers of Hunt. |
| Kyle of Hays. | Rollins. |
| Kyle of Palo Pinto. | Ross. |
| Laird. | Russell. |
| Latham. | Savage. |
| Lemens. | Shults. |
| Lindsey. | Smith. |
| Lotief. | Stanfield. |
| Magee. | Steward. |
| Mackay. | Stinson. |
| McDougald. | Stovall. |
| McKee. | Tarwater. |
| Merritt. | Tennyson. |
| Metcalfe. | Thomas. |
| Mitcham. | Townsend. |
| Moore. | Turlington. |
| Morrison. | Van Zandt. |
| Morse. | Vaughan. |
| Munson. | Wagstaff. |
| Pavlica. | Weinert. |
| Pope. | Wells. |
| Puryear. | Wood. |
| Ratliff. | Young. |

Nays—2

| | |
|--------------|---------|
| Scarborough. | Walker. |
|--------------|---------|

Absent

| | |
|--------------------|---------------|
| Camp. | Leonard. |
| Colson. | Long. |
| Daniel. | Mathis. |
| Dunagan. | McGregor. |
| Duvall. | Nicholson. |
| Dwyer. | Patterson. |
| Griffith. | Ramsey. |
| Haag. | Reader. |
| Harrison. | Rogers |
| Hartzog. | of Ochiltree. |
| Hill of Brazoria. | Scott. |
| Holloway. | Shannon. |
| Jones of Atascosa. | Tillery. |
| Jones of Shelby. | West. |
| Kayton. | |

Absent—Excused

| | |
|--------------|-------------|
| Bradley. | McClain. |
| Devall. | McCullough. |
| Engelhard. | Moffett. |
| Jefferson. | Palmer. |
| Johnson | Parkhouse. |
| of Anderson. | Sullivant. |
| Johnson | Winningham. |
| of Dimmit. | |

The Speaker then laid House Bill No. 153 before the House on its third reading and final passage.

The bill was read third time, and was passed by the following vote:

Yeas—114

| | |
|--------------------|---------------------|
| Adamson. | Kayton. |
| Aikin. | Kyle of Hays. |
| Alexander. | Kyle of Palo Pinto. |
| Alsup. | Laird. |
| Anderson | Latham. |
| of Bexar. | Lemens. |
| Anderson | Leonard. |
| of Johnson. | Lindsey. |
| Baker. | Long. |
| Barrett. | Lotief. |
| Beck. | Magee. |
| Bedford. | Mackay. |
| Bourne. | McDougald. |
| Burns. | McKee. |
| Butler. | Metcalfe. |
| Calvert. | Mitcham. |
| Canon. | Moore. |
| Cathey. | Morrison. |
| Caven. | Morse. |
| Chastain. | Munson. |
| Clayton. | Pavlica. |
| Coombes. | Pope. |
| Cowley. | Puryear. |
| Crossley. | Ratliff. |
| Daniel. | Ray. |
| Davidson. | Reader. |
| Dean. | Reed of Bowie. |
| Dunlap. | Reed of Dallas. |
| Fain. | Renfro. |
| Few. | Riddle. |
| Fisher. | Roberts. |
| Ford. | Rogers of Hunt. |
| Fuchs. | Rogers |
| Glass. | of Ochiltree. |
| Golson. | Rollins. |
| Good. | Ross. |
| Goodman. | Savage. |
| Graves. | Scarborough. |
| Greathouse. | Scott. |
| Haag. | Shults. |
| Hankamer. | Smith. |
| Harman. | Stanfield. |
| Harris. | Steward. |
| Head. | Stinson. |
| Hester. | Stovall. |
| Hicks. | Tarwater. |
| Hill of Webb. | Tennyson. |
| Hodges. | Thomas. |
| Holekamp. | Tillery. |
| Holland. | Turlington. |
| Hoskins. | Van Zandt. |
| Huddleston. | Vaughan. |
| Hughes. | Wagstaff. |
| Hunt. | Walker. |
| Hyder. | Weinert. |
| Jackson. | Wells. |
| James. | Wood. |
| Jones of Atascosa. | Young. |
| Jones of Runnels. | |

Absent

| | |
|---------|----------|
| Barron. | Dunagan. |
| Camp. | Duvall. |
| Colson. | Dwyer. |

| | |
|-------------------|------------|
| Griffith. | Merritt. |
| Harrison. | Nicholson. |
| Hartzog. | Patterson. |
| Hill of Brazoria. | Ramsey. |
| Holloway. | Russell. |
| Jones of Shelby. | Shannon. |
| Mathis. | Townsend. |
| McGregor. | West. |

Absent—Excused

| | |
|--------------|-------------|
| Bradley. | McClain. |
| Devall. | McCullough. |
| Engelhard. | Moffett. |
| Jefferson. | Palmer. |
| Johnson | Parkhouse. |
| of Anderson. | Sullivant. |
| Johnson | Winningham. |
| of Dimmit. | |

HOUSE BILL NO. 394 ON SECOND READING

On motion of Mr. Rollins, the regular order of business was suspended, to take up, and have placed on its second reading and passage to engrossment,

H. B. No. 394, A bill to be entitled "An Act to amend Sections 4 and 5, of Chapter 88, of the General Laws of the Forty-first Legislature, Second Called Session, page 172, said Sections appearing on page 175 of said Acts, and declaring an emergency."

The Speaker laid the bill before the House, and it was read second time.

Mr. Kayton offered the following committee amendment to the bill:

Amend House Bill No. 394, below the enacting clause, in Section 1 thereof, in the last sentence in Section 5, under said Section 1, by striking out the following: "five dollars (\$5)," and inserting in lieu thereof the following: "six dollars (\$6)."

Question — Shall the committee amendment be adopted?

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 20, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has adopted conference committee report on House Concurrent Resolution No. 9, by the following vote: Yeas, 24; nays, 6.

Respectfully,
BOB BARKER,
Secretary of the Senate.

NOTICE GIVEN

Mr. Barron gave notice that he would, on tomorrow, move to take up, for consideration at that time, House Bill No. 145, which bill had heretofore been laid on the table subject to call.

MESSAGE FROM THE SENATE

Senate Chamber,
Austin, Texas, February 20, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has appointed as committee, to serve on Senate Concurrent Resolution No. 10, the following: Senators Woodward and Small.

Respectfully,
BOB BARKER,
Secretary of the Senate.

ADJOURNMENT

Mr. Mathis moved that the House recess to 10 o'clock a. m., tomorrow.

Mr. Alexander moved that the House adjourn until 9:30 o'clock a. m., tomorrow.

Mr. Morse moved that the House adjourn until 10 o'clock a. m., tomorrow.

The motion of Mr. Alexander prevailed, and the House, accordingly, at 12:15 o'clock p. m., adjourned until 9:30 o'clock a. m., tomorrow.

APPENDIX

STANDING COMMITTEE REPORTS

The following committees have filed favorable reports on bills, as follows:

Criminal Jurisprudence: House Bill No. 507 and Senate Bill No. 184.

Education: Senate Bill No. 146 and House Bill No. 483.

REPORT OF THE COMMITTEE ON ENGROSSED BILLS

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred
H. B. No. 399, A bill to be entitled
"An Act permitting the taking of

pelts of fur-bearing animals for the purpose of sale in Nacogdoches County, during the months of December and January; making it unlawful to take such pelts or to employ a steel trap for taking any fur-bearing animal during any other months than December and January; providing a penalty; repealing all laws or parts of laws in conflict with this Act, and declaring an emergency."

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 236, A bill to be entitled "An Act to amend Section 1, Chapter 90, House Bill No. 610, Special Laws of the Forty-second Legislature, and declaring an emergency." (Relating to protection of fish in Bosque County.)

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 34, A bill to be entitled "An Act amending Article 2691, Revised Statutes of Texas, 1925, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 441, A bill to be entitled "An Act to prohibit the use of a seine or net for taking fish in Cherokee County, except the seine or net of not less than three-inch square mesh, except during certain months, and excepting a minnow seine from the pro-

visions of this Act; providing a penalty; repealing all laws or parts of laws in conflict herewith, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 505, A bill to be entitled "An Act amending Section 1, Chapter 213, Acts of the Regular Session, Forty-second Legislature, and declaring an emergency." (Relating to compensation of county commissioner.)

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 362, A bill to be entitled "An Act prohibiting the use of any seine or net for taking fish from any of the waters in Lamar County, except a seine or net of not less than two-inch square mesh; or a minnow seine for the purpose of taking bait; providing a penalty, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills, to whom was referred

H. B. No. 211, A bill to be entitled "An Act amending Chapter 91, Acts First Called Session, Fortieth Legislature, as amended by Chapter 77, Acts First Called Session, Forty-first Legislature, as amended by Chapter 164, Acts Regular Session, Forty-second Legislature, and declaring an emergency,"

Has carefully compared same, and finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 6, A bill to be entitled
"An Act to regulate the granting of
pipe line right of way easements, and
the terms thereof, and the rates to
be charged therefor, across public
lands of Texas; providing for the dis-
position of proceeds received from
such easements, etc., and declaring
an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 327, A bill to be entitled
"An Act amending Chapter 69, of the
Acts of the Forty-second Legislature,
Regular Session, providing for the
taking of catfish, perch, buffalo, and
drum, in the waters of Delta, Hop-
kins, or Franklin Counties, by hand,
or with a seine having meshes one
inch square, and declaring an emer-
gency,"

Has carefully compared same, and
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 11, A bill to be entitled
"An Act authorizing the payment to
the head of any department of the
State Government of occupation,
gross receipts, franchise, license, or
other privilege taxes or fees under
protest upon the supposed ground of
invalidity of the tax or lack of power
to collect the same, etc., and declaring
an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HARRISON, Chairman.

Committee Room,
Austin, Texas, February 17, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Engrossed
Bills, to whom was referred

H. B. No. 21, A bill to be entitled
"An Act authorizing the establish-
ment of liens upon mausoleums
and/or monuments wherever erected;
providing procedure; providing for
permanent marking of grave from
which repossessed marker is removed,
and declaring an emergency,"

Has carefully compared same, and
finds it correctly engrossed.

HARRISON, Chairman.

REPORT OF THE COMMITTEE ON ENROLLED BILLS

Committee Room,
Austin, Texas, February 20, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 98, "An Act to amend
Article 955, of the Revised Criminal
Statutes of Texas of 1925, as amend-
ed by House Bill No. 406, Chapter
257, General and Special Laws of the
Regular Session of the Forty-first
Legislature, as amended by House
Bill No. 179, Chapter 304, General
and Special Laws of the Regular
Session of the Forty-second Legisla-
ture, prohibiting the sale of fish
taken from fresh-water streams of
certain named counties, and also pro-
viding means and methods of taking
and possessing of fish from fresh
waters of said counties, and by add-
ing the name of the County of Tom
Green to said list of counties, and
declaring an emergency,"

Has carefully compared same, and
finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, February 20, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 121, "An Act to amend
Chapter 36, of the Special Laws, of
the Acts of the Regular Session of
the Forty-second Legislature, provid-
ing for an open season or period of

time when it shall be lawful to take or kill squirrels in certain counties; providing penalties for the violation thereof; repealing all laws and parts of laws in conflict therewith; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

Committee Room,
Austin, Texas, February 20, 1933.
Hon. Coke Stevenson, Speaker of the
House of Representatives.

Sir: Your Committee on Enrolled
Bills, to whom was referred

H. B. No. 222, "An Act creating

a closed season upon wild deer, buck, doe, fawn, or wild turkey for a period of five (5) years in the Counties of Anderson, Haskell, Henderson, Jones, Navarro, Shackelford, Throckmorton, Brown, and Coleman, in the State of Texas, making it unlawful for any person to hunt, trap, ensnare, kill, or attempt to kill, by any means whatsoever, any wild deer, buck, doe, fawn, or wild turkey within said Counties, for a period of five (5) years; providing a penalty therefor; and declaring an emergency,"

Has carefully compared same, and finds it correctly enrolled.

ROGERS of Hunt, Chairman.

In Memory of Mr. J. R. Bond

Mr. Alsup offered the following resolution:

Whereas, There passed away in the City of Terrell, Texas, a pioneer citizen, Mr. J. R. Bond, at the age of 93 years; and

Whereas, The deceased was the father of the Hon. Thos. R. Bond, an honored and useful Member of the Forty-first and Forty-second Legislatures of Texas; therefore, be it

Resolved, That the House of Representatives is fully appreciative of the sterling qualities and long life of usefulness of Mr. J. R. Bond, who, since 1878, had been a leader in the development of his community, his county, and his State, and feels that society has been blessed by the life and has lost by the death of this fine man, father, and citizen; and be it further

Resolved, That the House of Representatives of the Forty-third Legislature does hereby extend to its former Member, Judge Thos. R. Bond, and the other bereaved relatives of the deceased, its sincere sympathy and condolence in the passing of this faithful man, soldier, and citizen, whose example is in every way worthy of emulation, and whose memory is hallowed by all who knew him; and be it further

Resolved, That a page of the Journal be set apart as a memorial to the deceased; and when the House shall adjourn today it do so in respect to his memory; and that a copy of this resolution be sent to Judge Thos. R. Bond.

ALSUP,
METCALFE,
MATHIS,
HICKS,
SAVAGE.

The resolution was read second time.

On motion of Mr. Metcalfe, the names of all the Members of the House were added to the resolution as signers thereof:

Signed—Stevenson, Speaker; Adamson, Aikin, Alexander, Anderson of Bexar, Anderson of Johnson, Baker, Barrett, Barron, Beck, Bedford, Bourne, Bradley, Burns, Butler, Calvert, Camp, Canon, Cathey, Caven, Chastain, Clayton, Colson, Coombes, Cowley, Crossley, Daniel, Davidson, Dean, Devall, Dunagan, Dunlap, Duvall, Dwyer, Engelhard, Fain, Few, Fisher, Ford, Fuchs, Glass, Golson, Good, Goodman, Graves, Greathouse, Griffith, Haag, Hankamer, Harman, Harris, Harrison, Hartzog, Head, Hester, Hill of Brazoria, Hill of Webb, Hodges, Holekamp, Holland, Holloway, Hoskins, Huddleston, Hughes, Hunt, Hyder, Jackson, James, Jefferson, Johnson of Dimmit, Johnson of Anderson, Jones of Atascosa, Jones of Runnels, Jones of Shelby, Kayton, Kyle of Hays, Kyle of Palo Pinto, Laird, Latham, Lemens, Leonard, Lindsey, Long, Lotief, Magee, Mackay, McClain, McCullough, McDougald, McGregor, McKee, Merritt, Mitcham, Moffett, Moore, Morrison, Morse, Munson, Nicholson, Palmer, Parkhouse, Patterson, Pavlica, Pope, Puryear, Ramsey, Ratliff, Ray, Reader, Reed of Bowie, Reed of Dallas, Renfro, Riddle, Roberts, Rogers of Hunt, Rogers of Ochiltree, Rollins, Ross, Russell, Scarborough, Scott, Shannon, Shults, Smith, Stanfield, Steward, Stinson, Stovall, Sullivan, Tarwater, Tennyson, Thomas, Tillery, Townsend, Turlington, Van Zandt, Vaughan, Wagstaff, Walker, Weinert, Wells, West, Winningham, Wood, Young.

The resolution was then adopted by a rising vote.